

9-20-~~IAPI~~ Rec'd PCT/PTO 18 SEP 2006 *Pat \$*

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Date of Deposit September 18, 2006

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Alicia Falkenbach
Name

Alicia Falkenbach
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN THE UNITED STATES RECEIVING OFFICE**

In re application of: Smith, et al.

U.S. Serial No.: 10/575,559

Filed: April 11, 2006

National Phase Application Of: PCT/GB04/04290

International Filing Date: October 7, 2004

For: Protective Helmet

LETTER

United States Patent And Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Enclosed are the following: 1) Form PTO-1390 (3 pages), 2) copy of the 371 Formalities Notice (2 pages), 3) Declaration with original signatures of the inventors (3 pages), 4) check in the amount of \$65.00, 5) return post card.

Applicant believes this is a full and complete response to the 371 Formalities Notice. If additional information or documents are needed, please contact the undersigned.

09/22/2006 MKAYPAGH 00000116 10575559

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65.00 0P

Respectfully submitted,

HODGSON RUSS LLP

David L. Principe, Reg. No. 39,336
Attorney for Applicant

One M&T Plaza, Suite 2000
Buffalo, New York 14203-2391
(716) 848-1262 (direct)
Date: September 18, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 018872.00168
INTERNATIONAL APPLICATION NO. PCT/GB04/04290	INTERNATIONAL FILING DATE 7/October 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/575,559
TITLE OF INVENTION Protective Helmet		PRIORITY DATE CLAIMED 7 October 2003
APPLICANT(S) FOR DO/EO/US Church, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/575,559	INTERNATIONAL APPLICATION NO. PCT/GB04/04290	ATTORNEY'S DOCKET NUMBER 018872.00168
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20. Other items or information:

1) Express Mail Label No. ER 951275525 US
2) Postcard

The following fees have been submitted	CALCULATIONS	PTO USE ONLY																
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300	\$																	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))	\$																	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0	\$																	
All other situations..... \$200																		
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))	\$																	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0																		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100																		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400																		
All other situations..... \$500																		
TOTAL OF 21, 22 and 23 =																		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 40%;">RATE</th> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250	\$									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE															
- 100 =	/50 =		x \$250															
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$ 130.00																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 40%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x \$200</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		x \$ 50	Independent claims	- 3 =		x \$200	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	- 20 =		x \$ 50															
Independent claims	- 3 =		x \$200															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360															
TOTAL OF ABOVE CALCULATIONS =	\$																	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.	\$65.00																	
SUBTOTAL =	\$ 65.00																	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$																	
TOTAL NATIONAL FEE =	\$ 65.00																	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$																	
TOTAL FEES ENCLOSED =	\$ 65.00																	
	Amount to be refunded:	\$																
	Amount to be charged	\$																

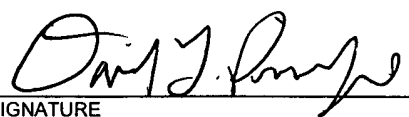
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- a. ☒ A check in the amount of \$ 65.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 08-2442 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2442. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

David L. Principe
Hodgson Russ LLP
One M&T Plaza
Suite 2000
Buffalo, NY 14203-2391


SIGNATURE

David L. Principe

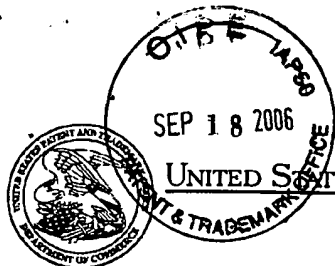
NAME

39,336

REGISTRATION NUMBER

September 18, 2006

Date

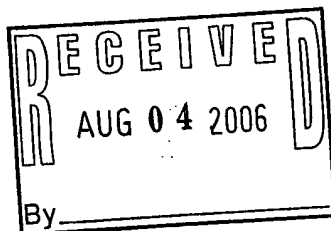


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/575,559	FIRST NAMED APPLICANT	ATTY. DOCKET NO. 018872.00168 ✓
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✓
 Martin G. Linihan
 Hodgson Russ LLP
 One M&T Plaza,
 Suite 200
 Buffalo, NY 14203



INTERNATIONAL APPLICATION NO. PCT/GB04/04290	
I.A. FILING DATE 10/07/2004	PRIORITY DATE 10/07/2003

CONFIRMATION NO. 3604
 371 FORMALITIES LETTER



OC000000019752907

Date Mailed: 07/26/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/11/2006
- Preliminary Amendments filed on 04/11/2006
- Small Entity Statement filed on 04/11/2006
- Request for Immediate Examination filed on 04/11/2006
- U.S. Basic National Fees filed on 04/11/2006
- Priority Documents filed on 04/11/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ✓
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,559	PCT/GB04/04290	

FORM PCT/DO/EO/905 (371 Formalities Notice)